

AN ACT

ENTITLED, An Act to require computer voice stress analyzer examiners to be licensed.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. Terms used in this Act and § 23-3-35 mean:

- (1) "Computer voice stress analyzer" or "CVSA," an instrument that detects, measures, and displays changes in voice frequency, which can be recorded permanently and simultaneously;
- (2) "CVSA examiner," a person who uses a computer voice stress analyzer to question individuals for the purpose of detecting deception.

Section 2. No person may question any individual using a computer voice stress analyzer for the purpose of detecting deception unless the person is a licensed CVSA examiner. A violation of this section is a Class 2 misdemeanor.

Section 3. A person may receive a license as a CVSA examiner if the person:

- (1) Establishes that he or she is a person of good moral character;
- (2) Has satisfactorily completed a sixty-hour course of study in the use of a computer voice stress analyzer in the detection of deception; and
- (3) Submits an application to the Office of the Attorney General along with a nonrefundable twenty-five dollar license fee.

Section 4. That § 23-3-35 be amended to read as follows:

23-3-35. In addition to powers conferred upon the law enforcement officers standards commission elsewhere in this chapter, the commission may:

- (1) Promulgate rules and regulations for the administration of §§ 23-3-26 to 23-3-47, inclusive, including the authority to require the submission of reports and information by law enforcement agencies within this state;

- (2) Establish minimum educational and training standards for admission to employment as a law enforcement officer:
 - (a) In permanent positions; and
 - (b) In temporary or probationary status;
- (3) Certify persons as being qualified under the provisions of §§ 23-3-26 to 23-3-47, inclusive, to be law enforcement officers, and by rule to establish criteria and procedure for the revocation or suspension of the certification of officers who have been convicted of a felony or misdemeanor involving moral turpitude, have intentionally falsified any application or document to achieve certification, or have been discharged from employment for cause, or have engaged in conduct unbecoming of a law enforcement officer;
- (4) Establish minimum curriculum requirements for preparatory, in-service, and advanced courses and programs for schools operated by or for the state or any political subdivisions of the state for the specific purpose of training recruits or other law enforcement officers;
- (5) Consult and cooperate with counties, municipalities, agencies of this state, other governmental agencies, and with universities, colleges, junior colleges, and other institutions concerning the development of law enforcement training schools and programs or courses of instruction;
- (6) Approve institutions and facilities for school operation by or for the state or any political subdivision of the state for the specific purpose of training law enforcement officers and recruits;
- (7) Make or encourage studies of any aspect of police administration;
- (8) Conduct and stimulate research by public and private agencies which is designed to

improve police administration and law enforcement;

- (9) Make recommendations concerning any matter within its purview pursuant to §§ 23-3-26 to 23-3-47, inclusive;
- (10) Make such evaluations as may be necessary to determine if governmental units are complying with the provisions of §§ 23-3-26 to 23-3-47, inclusive;
- (11) Adopt and amend bylaws, consistent with law, for its internal management and control;
- (12) Enter into contracts or do such things as may be necessary and incidental to the administration of its authority pursuant to §§ 23-3-26 to 23-3-47, inclusive;
- (13) License and regulate the activities of private or law enforcement polygraph and computer voice stress analyzer examiners.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1141

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1141

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State